1 3.8 HAZARDS AND HAZARDOUS MATERIALS

HAZARDS AND HAZARDOUS MATERIALS - Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?		\boxtimes		
Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?				\boxtimes
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				\boxtimes
f) For a project within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area?				\boxtimes
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				

2 3.8.1 Environmental Setting

- 3 The Project site is located in the San Joaquin River and on adjacent upland areas that
- 4 are occupied by the existing Lauritzen Harbor Yacht Harbor and open space zoned for
- 5 recreational and agricultural uses at Sherman Island. The nearest school facilities are
- 6 the Orchard Elementary School located approximately 1.3 miles southeast of the
- 7 Project site and several preschool facilities located in the residential neighborhoods
- 8 between 1.5 and 2 miles southeast of the Project site.

- 1 The nearest airfields are the Rio Vista Municipal Airport (Jack Bauman Field) located
- 2 about 11 miles northeast of the Project site and the privately owned Delta Air Park
- 3 located approximately 5 miles from the southern landing and Funny Farm Airstrip
- 4 located in Brentwood approximately 7.3 miles southeast of the southern landing.
- 5 The onshore Project site is not located on a site that is included on a list of hazardous
- 6 materials sites (per the provisions of Gov. Code, § 65962.5, commonly referred to as
- 7 the "Cortese List") (State Water Resources Control Board [SWRCB] 2015; Department
- 8 of Toxic Substances Control [DTSC] 2015). However, the southern landing at Lauritzen
- 9 Yacht Harbor has been identified as being a closed former leaking underground storage
- 10 tank site (RB Closed Case No. 070096) as identified on the Regional Water Quality
- 11 Control Board (RWQCB) Geotracker website (SWRCB 2015).

12 **3.8.2 Regulatory Setting**

- 13 3.8.2.1 Federal and State
- 14 Federal and State laws and regulations pertaining to this issue area and relevant to the
- 15 Project are identified in Table 3.8-1.

Table 3.8-1. Laws, Regulations, and Policies (Hazards and Hazardous Materials)

		<u> </u>
U.S.	Clean Water Act (CWA) (33 USC 1251 et seq.)	The CWA is comprehensive legislation (it generally includes reference to the Federal Water Pollution Control Act of 1972, its supplementation by the CWA of 1977, and amendments in 1981, 1987, and 1993) that seeks to protect the nation's water from pollution by setting water quality standards for surface water and by limiting the discharge of effluents into waters of the U.S. (see below and in Section 3.9, Hydrology and Water Quality).
U.S.	California Toxics Rule (40 CFR 131)	In 2000, the USEPA promulgated numeric water quality criteria for priority toxic pollutants and other water quality standards provisions to be applied to waters in the State of California. USEPA promulgated this rule based on the Administrator's determination that the numeric criteria are necessary in the State of California to protect human health and the environment. Under CWA section 303(c)(2)(B), the USEPA requires states to adopt numeric water quality criteria for priority toxic pollutants for which the USEPA has issued criteria guidance, and the presence or discharge of which could reasonably be expected to interfere with maintaining designated uses. These Federal criteria are legally applicable in California for inland surface waters, enclosed bays, and estuaries.
U.S.	Hazardous Materials Transportation Act (HMTA) (49 USC 5901)	The HMTA delegates authority to the USDOT to develop and implement regulations pertaining to the transport of hazardous materials and hazardous wastes by all modes of transportation. Additionally, the USEPA's Hazardous Waste Manifest System is a set of forms, reports, and procedures for tracking hazardous waste from a generator's site to the disposal site. Applicable Federal regulations are contained primarily in CFR Titles 40 and 49.
U.S.	National Oil and Hazardous Substances Pollution Contingency	Authorized under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), 42 USC 9605, as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA), Pub. L. 99 through 499; and by CWA section 311(d), as amended by the Oil Pollution Act of 1990 (OPA), Pub. L. 101 through 380. The NCP outlines requirements for responding to both oil spills and releases of hazardous substances. It specifies

Table 3.8-1. Laws, Regulations, and Policies (Hazards and Hazardous Materials)

Tabl	Table 3.8-1. Laws, Regulations, and Policies (Hazards and Hazardous Materials)				
	Plan (NCP) (40 CFR 300)	compliance, but does not require the preparation of a written plan. It also provides a comprehensive system for reporting, spill containment, and cleanup. The U.S. Coast Guard (USCG) and USEPA co-chair the National Response Team. In accordance with 40 CFR 300.175, the USCG has responsibility for oversight of regional response for oil spills in "coastal zones," as described in 40 CFR 300.120.			
U.S.	Oil Pollution Act (OPA) (33 USC 2712)	The OPA requires owners and operators of facilities that could cause substantial harm to the environment to prepare and submit plans for responding to worst-case discharges of oil and hazardous substances. The passage of the OPA motivated California to pass a more stringent spill response and recovery regulation and the creation of the Office of Spill Prevention and Response (OSPR) to review and regulate oil spill plans and contracts.			
U.S.	Resource Conservation and Recovery Act (RCRA) (42 USC 6901 et seq.)	The RCRA authorizes the USEPA to control hazardous waste from "cradle-to-grave," which encompasses its generation, transportation, treatment, storage, and disposal. RCRA's Federal Hazardous and Solid Waste Amendments from 1984 include waste minimization and phasing out land disposal of hazardous waste as well as corrective action for releases. The Department of Toxic Substances Control is the lead State agency for corrective action associated with RCRA facility investigations and remediation.			
U.S.	Toxic Substances Control Act (TSCA) (15 USC 2601- 2692)	The TSCA authorizes the USEPA to require reporting, record-keeping, testing requirements, and restrictions related to chemical substances and/or mixtures. It also addresses production, importation, use, and disposal of specific chemicals, such as polychlorinated biphenyls (PCBs), asbestos-containing materials, lead-based paint, and petroleum.			
U.S.	Other	Act of 1980 to Prevent Pollution from Ships requires ships in U.S. waters, and U.S. ships wherever located, to comply with International Convention for the Prevention of Pollution from Ships (MARPOL). Convention on the International Regulations for Preventing Collisions at Sea (COLREGS). These regulations establish "rules of the road" such as rights-of-way, safe speed, actions to avoid collision, and procedures to observe in narrow channels and restricted visibility. Inspection and Regulation of Vessels (46 USC Subtitle II Part B). Federal regulations for marine vessel shipping are codified in 46 CFR parts 1 through 599 and are implemented by the USCG, Maritime Administration, and Federal Maritime Commission. These regulations provide that all vessels operating offshore, including those under foreign registration, are subject to requirements applicable to vessel construction, condition, and operation. All vessels (including motorboats) operating in commercial service (e.g., passengers for hire, transport of cargoes, hazardous materials, and bulk solids) on specified routes (inland, near coastal, and oceans) are subject to requirements applicable to vessel construction, condition, and operation. These regulations also allow for inspections to verify that vessels comply with applicable international conventions and U.S. laws and regulations. Navigation and Navigable Waters regulations (33 CFR) include requirements pertaining to prevention and control of releases of materials (including oil spills) from vessels, traffic control, and restricted areas, and general ports and waterways safety.			
CA	Lempert- Keene- Seastrand Oil Spill Prevention	This Act and its implementing regulations seek to protect State waters from oil pollution and to plan for the effective and immediate response, removal, abatement, and cleanup in the event of an oil spill. The Act requires vessel and marine facilities to have marine oil spill contingency plans and to demonstrate financial responsibility, and requires immediate cleanup of spills, following the			

Table 3.8-1. Laws, Regulations, and Policies (Hazards and Hazardous Materials)

	and Response Act (Gov. Code, § 8574.1 et seq.; Pub. Resources Code, § 8750 et seq.)	approved contingency plans, and fully mitigating impacts on wildlife. The Act assigns primary authority to the Office of Spill Prevention and Response (OSPR) division within the CDFW to direct prevention, removal, abatement, response, containment, and cleanup efforts with regard to all aspects of any oil spill in the marine waters of the State. The CSLC assists OSPR with spill investigations and response.
CA	Other	California Clean Coast Act (SB 771) establishes limitations for shipboard incinerators, and the discharge of hazardous material—including oily bilgewater, graywater, and sewage—into State waters or a marine sanctuary. It also provides direction for submitting information on visiting vessels to the CSLC and reporting of discharges to the State water quality agencies. California Harbors and Navigation Code specifies a State policy to "promote safety for persons and property in and connected with the use and equipment of vessels," and includes laws concerning marine navigation that are implemented by local city and county governments. This Code also regulates discharges from vessels within territorial waters of the State of California to prevent adverse impacts on the marine environment. This Code regulates oil discharges and imposes civil penalties and liability for cleanup costs when oil is intentionally or negligently discharged to the State waters. California Seismic Hazards Mapping Act (Pub. Resources Code, § 2690) and Seismic Hazards Mapping Regulations (Cal. Code Regs., tit. 14, Div. 2, Ch. 8, Art. 10) (See Section 3.6, Geology and Soils). Hazardous Waste Control Act (Cal. Code Regs., tit. 26) defines requirements for proper management of hazardous materials. Porter-Cologne Water Quality Control Act (Cal. Water Code, § 13000 et seq.) (See Section 3.9, Hydrology and Water Quality).

1 3.8.2.2 Local

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2 Sacramento County

- 3 The following policies from the Sacramento County General Plan 2005-2030
- 4 (Hazardous Materials Element 2011) were considered in this analysis.

5 <u>Hazardous Materials Element</u>

- Policy HM 4: The handling, storage, and transport of hazardous materials shall be conducted in a manner so as not to compromise public health and safety standards.
- Policy HM 8: Continue the effort to prevent ground water and soil contamination.
- Policy HM 9: Continue the effort to prevent surface water contamination.
 - Policy HM 10: Reduce the occurrences of hazardous materials accidents and the subsequent need for incident response by developing and implementing effective prevention strategies.

Policy HM - 11: Protect residents and sensitive facilities from incidents which
 may occur during the transport of hazardous materials in the County.

Contra Costa County

- 4 The following goals and policies regarding hazardous materials uses from the Contra
- 5 Costa County General Plan 2005-2020 (Contra Costa County 2010) were considered in
- 6 this analysis.

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- 7 Chapter 7: Public Facilities/Services Element Section 7.12, Hazardous Waste
- 8 Management
 - Goal 7-AM: To eliminate the generation and disposal of hazardous waste materials to the maximum extent feasible by:
 - Reducing the use of hazardous substances and the generation of hazardous wastes at their source;
 - Recovering and recycling the remaining waste for reuse;
 - Treating those waste not amenable to source reduction or recycling so that the environment and community health are not threatened by their ultimate disposal;
 - o Incinerating those wastes amenable to this technology; and
 - Properly disposing of treated residuals in approved residual repositories.

19 Chapter 10: Safety Element

- Goal 10-I: To provide public protection from hazards associated with use, transport, treatment, and disposal of hazardous substances.
 - Policy 10-61: Hazardous waste releases from both private companies and from public agencies shall be identified and eliminated.
 - Policy 10-62: Storage of hazardous materials and wastes shall be strictly regulated.
 - Policy 10-63: Secondary containment and periodic examination shall be required for all storage of toxic materials.
 - Policy 10-68: When an emergency occurs in the transportation of hazardous materials, the County Office of Emergency Services shall be notified as soon as possible.

City of Oakley

- 32 The City's 2020 General Plan Health and Safety Element identifies the following goals
- 33 and policies for hazardous materials that were considered in the analysis of the
- 34 proposed Project:

- Policy 4.7.9: Avoid solid waste hauling on collectors and local streets through
 residential areas.
 - Policy 4.7.10: The handling and storage of hazardous materials shall be identified and monitored by the local fire agencies.
 - Policy 8.3.1: Hazardous waste releases from both private companies and public agencies shall be identified and eliminated.
 - Policy 8.3.2: Storage of hazardous materials and wastes shall be strictly regulated.
 - Policy 8.3.3: Secondary containment and periodic examination shall be required for all storage of toxic materials.

11 3.8.3 Impact Analysis

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- a) Create a significant hazard to the public or the environment through the routine
 transport, use, or disposal of hazardous materials?
- 14 b) Create a significant hazard to the public or the environment through
- 15 reasonably foreseeable upset and accident conditions involving the release of
- 16 hazardous materials into the environment?
- 17 a) and b). Less than Significant with Mitigation. During construction, offshore
- 18 vessels and onshore equipment would be used that contain hazardous materials.
- 19 Potential impacts to the surrounding environment(s) could result if an unanticipated
- 20 release of these materials occurred. However, implementation of measures, such as
- 21 refueling of vessels and equipment prior to transit to the Project site, would reduce the
- 22 potential for incidental spills to the extent feasible. Additionally, if a release of hazardous
- 23 materials to the marine environment were to occur, MM HAZ-1: Oil Spill Response
- 24 **Plan** would reduce the risk to less than significant levels.
 - MM HAZ-1: Oil Spill Response Plan (OSRP). Pacific Gas and Electric shall submit a Project-specific OSRP to California State Lands Commission staff 60 days prior to commencement of Project activities, for review and approval. At a minimum, the Project-specific OSRP shall:
 - Clearly identify the responsibilities of onshore and offshore contractors prior to and during an unanticipated release of oil or other hydrocarbon;
 - List and identify the location(s) of oil spill response equipment (including booms) onshore and offshore onboard Project vessels;
 - List response times for deployment;
 - Require that petroleum-fueled equipment on the main deck of all vessels have drip pans or other means of collecting dripped petroleum, which shall be collected and treated with onboard equipment;

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- Require the primary work vessel to carry on board a minimum 400 feet of sorbent boom, 5 bales of sorbent pads at least 18-inch x18-inch square, and small powered boat for rapid deployment to contain and clean up any small spill or sheen on the water surface;
- Ensure that contracts with off-site spill response companies are in-place prior to commencement of Project activities; and
- Provide for additional containment and clean-up resources as needed.
- Anchoring would be limited to the primary vessel and barge. Anchors used to moor the supporting derrick barge would require a disturbance area of less than 78 square feet per anchor, assuming a disturbed area approximately 10 feet in diameter. The Project would also require anchoring activities to occur within an area adjacent to an active natural gas pipeline (PG&E Line 131). The Line 131 crossing was constructed using conventional pull-and-bury marine pipeline installation techniques and is exposed or buried at shallow depths between the river's two shorelines. However, the location of the PG&E Line 131 submarine pipeline crossing, has been identified and anchoring locations designed to avoid potential interference with the existing utility. MM HAZ-2: Marine Safety and Anchoring Plan would reduce potential hazards, and no significant impact due to anchoring would result.
 - MM HAZ-2: Marine Safety and Anchoring Plan (MSAP). Pacific Gas and Electric (PG&E) shall submit a final MSAP to California State Lands Commission staff 60 days prior to commencement of offshore activities, and all pertinent regulatory agencies including National Marine Fisheries Service and the U.S. Coast Guard Vessel Transit Safety for review and approval that describes how PG&E would avoid placing anchors on sensitive ocean floor habitats and pipelines. At a minimum, the MSAP shall include the following information:
 - A list of all vessels that would anchor during the Project and the number and size of anchors to be set:
 - Detailed maps showing proposed anchor locations with coordinates taking into account 1) adjacent utilities, 2) tidal water currents and 3) limiting impacts to local boaters and non-project vessels;
 - A description of the navigation equipment that would be used to ensure anchors are accurately set;
 - · Anchor deployment and retrieval procedures that would be followed to prevent anchor dragging; and
 - Training for all applicable contractors and employees on operational protocols, procedures, and directives of the MSAP.
- To avoid hazards associated with debris during and after decommissioning activities, the following measure (MM HAZ-3: Pre- and Post-Decommissioning Surveys) would be implemented to reduce potential impacts to less than significant.

MM HAZ-3: Pre- and Post-Decommissioning Surveys. A baseline riverbed debris survey shall be performed prior to the start of offshore decommissioning activities at the Project site. The baseline debris survey shall consist of a side-scan sonar with 400 percent coverage and a bathymetric survey of the entire underwater work site.

Following the completion of decommissioning activities, Pacific Gas and Electric shall repeat the survey of the same underwater work site again using side-scan sonar with 400 percent coverage and bathymetry. The survey map produced from this survey shall be compared with the baseline survey and used to identify any items of riverbed debris introduced into the underwater worksite by the decommissioning operations. The contractor shall be directed to remove debris related to the decommissioning operations.

Both the pre-decommissioning survey map and the post-decommissioning survey maps shall be provided to California State Lands Commission staff for review and approval within 60 days of survey activities.

During onshore decommissioning activities, the potential exists to encounter hazardous materials in subsurface soils or when handling pipe coating materials. As discussed in the PEP (Appendix A), in accordance with MM HAZ-4: Pig/Clean Pipeline Interiors, even though the pipelines are inactive and filled with inert gas, the pipelines would be pigged and flushed prior to removal. Prior to work at the Sherman Island valve pit, an extended Phase I Environmental Site Assessment review, as well as the assessment of soils, would be conducted to address this potential soil contamination issues at this location (MM HAZ-5: Phase I Environmental Site Assessment). All work requiring removal of facilities would be conducted by personnel trained to work with hazardous substances and any suspicious soils (stained or with unusual odor) or groundwater (showing a sheen or with an unusual odor) would be tested and treated in accordance with all applicable laws (this may require removal of materials and disposal to an appropriate facility, or onsite treatment).

- MM HAZ-4: Pig/Clean Pipeline Interiors. The interiors of the terrestrial and submarine pipelines shall be pigged and flushed prior to start of decommissioning activities to ensure that all contaminants inside the pipelines have been eliminated or lowered to levels below acceptable regulatory limits so that the pipelines may be opened to the river during the submarine pipeline removal process. The cleaning shall consist of a chemical wash or sand wash of the pipeline interiors. The contaminate levels of the pipeline interiors shall be tested and certified prior to the start of decommissioning and the results submitted to California State Lands Commission staff prior to initiation of Project activities.
- MM HAZ-5: Phase I Environmental Site Assessment. Prior to work at the Sherman Island valve pit, an extended Phase I Environmental Site Assessment review as well as the assessment of soils would be conducted to

address potential soil contamination issues at this location. Assessment results shall be submitted to California State Lands Commission staff within 1 week of completion. Any contaminated soils found onsite shall be removed and properly disposed of at an approved offsite facility.

Additionally, since the pipe weight coating materials may contain asbestos, pipeline weight coatings would be sampled and tested for the presence of asbestos prior to submission of the Contractor Work Plan or start of construction (**MM HAZ-6: Asbestos Testing**). All pipeline decommissioning activities would be conducted in accordance with regulations pertaining to asbestos (if found). A less than significant impact would result after mitigation.

- MM HAZ-6: Asbestos Testing. Pipeline weight coatings shall be sampled and tested for the presence of asbestos prior to the submission of the Contractor Work Plan. Testing results shall be submitted to California State Lands Commission staff within 1 week of completion. If asbestos is found, an asbestos work plan shall be developed specifically for the Project and the plan shall be included in the Contractor Work Plan. The asbestos work plan shall provide specifications and procedures for proper protective clothing and personal safety equipment, emergency planning, site preparation for asbestos removal, removal of asbestos containing materials (pipe coating), disposal procedures, air monitoring, cleanup procedures, and submittals.
- c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?
- No Impact. There are no schools within 0.25 mile of the Project site.
- d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it
- create a significant hazard to the public or the environment?
- 27 Less than Significant Impact. The Cal EPA Hazardous Waste and Substances Site
- 28 List (Cortese List), which is compiled pursuant to Government Code section 65962.5,
- 29 was reviewed, and the Project site is not listed (DTSC 2015). Although the southern
- 30 landing is located within an area that has been identified by the RWQCB on the
- 31 Geotracker website (SWRCB 2015), as a former leaking underground storage tank site;
- 32 the case has been closed. The pipeline removal activities would not disrupt existing
- 33 soils at the southern landing that would have the potential to create a significant hazard
- 34 to the public or the environment. Pipelines would be removed and existing pipelines
- would be protected in their current state. No significant impact would result.
- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would

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- 1 the project result in a safety hazard for people residing or working in the project
- 2 **area?**
- 3 **No Impact.** The Project site is not within an airport land use planning area or within
- 4 2 miles of a public airport or public use airport.
- 5 f) For a project within the vicinity of a private airstrip, would the project result in a
- 6 safety hazard for people residing or working in the project area?
- 7 **No Impact.** The Project site is not within 2 miles of a private air strip.
- 8 g) Impair implementation of or physically interfere with an adopted emergency
- 9 response plan or emergency evacuation plan?
- 10 **No Impact.** The Project would not impair implementation of or physically interfere with
- an adopted emergency response or evacuation plan. No impact would result.
- 12 h) Expose people or structures to a significant risk of loss, injury or death
- 13 involving wildland fires, including where wildlands are adjacent to urbanized
- 14 areas or where residences are intermixed with wildlands?
- 15 **No Impact.** The Project site is not subject to wildland fires or in an area where
- 16 residences are intermixed with wildlands.
- 17 3.8.4 Mitigation Summary
- 18 Implementation of the following MMs would reduce the potential for Project-related
- 19 impacts from hazardous materials to less than significant.
- MM HAZ-1: Oil Spill Response Plan.
- MM HAZ-2: Marine Safety and Anchoring Plan.
- MM HAZ-3: Pre- and Post-Decommissioning Surveys.
- MM HAZ-4: Pig/Clean Pipeline Interiors.
- MM HAZ-5: Phase I Environmental Site Assessment.
- MM HAZ-6: Asbestos Testing.